

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition to Revoke
Probation Against:

LOIS S. HIX
Pinole, California

Registered Nurse License No. 482243

Respondent.

Case No. 2001-221

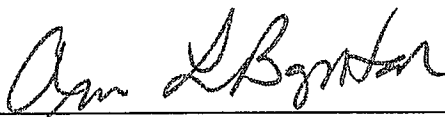
OAH No. 2009090821

DECISION

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Board of Registered Nursing as its Decision in the above-entitled matter.

This Decision shall become effective on **February 4, 2010.**

IT IS SO ORDERED this **5th** day of **January**, 2010.



Board of Registered Nursing
Department of Consumer Affairs
State of California

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition to Revoke
Probation Against:

LOIS S. HIX
Pinole, California

Registered Nurse License No. 482243,

Respondent.

Case No. 2001-221

OAH No. 2009090821

PROPOSED DECISION

Administrative Law Judge Peter Paul Castillo, State of California, Office of Administrative Hearings, heard this matter in Oakland, California on October 19, 2009.

Deputy Attorney General Diann Sokoloff represented complainant Louise R. Bailey, M.Ed., R.N., Interim Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs.

Respondent Lois S. Hix appeared on her own behalf.

The matter was submitted on October 19, 2009.

SUMMARY

Respondent's registered nurse license was placed on probation by the Board in 2006. In this proceeding, Complainant seeks to revoke Respondent's probation for her failure to comply with a number of conditions of her probation.

FACTUAL FINDINGS

1. On August 31, 1992, the Board of Registered Nursing issued Registered Nurse License No. 482243 to respondent Lois S. Hix. The license will expire November 30, 2009, unless it is renewed.

2. In a prior disciplinary action, Case No. 2001-221, the Board issued a default decision and order, effective November 19, 2001, that revoked Respondent's Registered Nursing License and imposed costs of \$3,375.25 for the Board's investigation and enforcement of this matter. The discipline in the default decision and order was based on Respondent's two misdemeanor criminal convictions for theft of personal property, in violation of Penal Code sections 484 and 488. These convictions subjected her license to discipline pursuant to Business and Professions Code section 2761, subdivision (f), conviction of an offense substantially related to the qualifications, functions and duties of a registered nurse.

On January 6, 2006, Respondent filed a petition for reinstatement with the Board, which heard Respondent's request on April 6, 2006, in OAH Case No. L2006030559. On May 25, 2006, the Board issued a decision effective, June 24, 2006, that reinstated Respondent's license, and then immediately revoked Respondent's registered nurse license. The revocation was stayed, and Respondent's license was placed on probation for three years on stated terms and conditions.

3. Probation Condition 12 provides that if Respondent violates the conditions of her probation, the Board may, after giving Respondent notice and an opportunity to be heard, set aside the stay order and impose the revocation of Respondent's license.

Probation Condition 12 further provides if a petition to revoke probation is filed or if the Board has requested that the Attorney's General Office prepare an accusation or petition to revoke probation during the period of probation, that the of probationary period shall be expended until the board has acted on the petition. Respondent's three-year probationary period commenced June 24, 2006. On May 26, 2009, the Board requested that the Attorney's General Office prepare a petition to revoke probation. The petition to revoke probation was filed July 31, 2009. The Board's May 26, 2009 request to the Attorney's General Office and the filing of the petition to revoke probation therefore extended Respondent's probation, pending the Board's determination of the petition to revoke.

4. On August 22, 2006, Anita Rodriguez, Respondent's probation monitor, met with her and discussed all of her conditions of probation. Ms. Rodriguez expressly advised Respondent that she was required to timely submit the quarterly reporting forms, needed to enroll in a Board approved refresher course, and that she could not function as a registered nurse without prior Board approval. Ms. Rodriguez also informed Respondent that she needed to submit her first verification of on-going therapy by October 6, 2006. Respondent signed the probation summary report at the end of her meeting with Ms. Rodriguez, in which Respondent acknowledged that she understood the terms and conditions of her probation.

On August 16, 2007, Ms. Rodriguez held a subsequent probation monitoring meeting with Respondent. Ms. Rodriguez again explained the probationary terms because Respondent did not appear to understand the terms of her probation. Respondent again signed the summary probation report acknowledging that she understood the terms of probation.

First Cause: Enroll in Refresher Course

5. The Order required Respondent to enroll and complete a refresher course, or equivalent set of courses, that have been approved by the Board. Respondent was suspended from practice as a registered nurse until she completed an approved refresher course. Respondent did not complete any approved refresher courses during probation.

Second Cause: Comply with the Board's Probation Program

6. Probation Condition 2 required Respondent to comply with the terms and conditions of probation. As stated below, Respondent failed to comply with Probation Conditions 5, 6, 7, 8, 10, 11, and 14.

Third Cause: Submit Written Reports

7. Probation Condition 5 required respondent to submit quarterly written reports during the period of her probation, and any other report required by the Board. Respondent was to submit the quarterly reports within seven days of the close of each quarter, and on going treatment verification according to the schedule discussed during the August 22, 2006 meeting. Respondent violated this condition by not submitting her first verification of on-going treatment report, which was due to the Board by October 6, 2006, and later extended to May 18, 2007, and the quarterly report due by April 7, 2007. Regarding the on-going treatment report, Respondent testified that she gave her therapist the form to complete and to mail to the Board. However, Respondent had the responsibility to ensure that the report was submitted timely, and not her therapist.

Fourth Cause: Function as a Registered Nurse

8. Probation Condition 6 required Respondent during the period of probation to "engage in the practice of registered nursing in California for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board." Respondent violated this condition by failing to work in her licensed capacity for six consecutive months. Respondent applied for a position as a registered nurse with the California Department of Corrections (CDC), and completed CDC's 90 day program. However, Respondent never worked as a registered nurse with CDC because she failed to obtain prior approval from the Board for this position, and CDC terminated Respondent upon learning that Respondent did not obtain prior Board approval for this position.

Fifth Cause: Employment Approval and Reporting Requirements

9. Probation Condition 7 required Respondent during the period of probation to "obtain prior approval from the Board before commencing or continuing any employment, paid or voluntary, as registered nurse." Further, Respondent needed to notify the Board within 72 hours of obtaining any nursing or health care related employment. Respondent

notified the Board of her employment with CDC in April 7, 2008 quarterly report, even though she was hired on March 3, 2008. Respondent failed to timely notify the Board of her employment as a registered nurse with CDC. While, Respondent never provided patient care because she needed to first complete CDC's ninety day training, CDC paid her during this training as a registered nurse. Therefore, Respondent needed to obtain the Board's approval before commencing her employment with CDC, and Respondent violated this probationary term.

Sixth Cause: Supervision

10. Probation Condition 8 required Respondent during the period of probation to "to obtain prior approval from the Board regarding respondent's level of supervision . . . before continuing or commencing any employment as a registered nurse" Respondent violated this condition by failing to contact the Board after CDC hired her as a registered nurse. Although Respondent did not provide patient care after she completed CDC's required training, Respondent needed to contact the Board after being hired on March 3, 2008, to obtain prior approval regarding the level of supervision that CDC would provide.

Seventh Cause: Complete a Nursing Course

11. Probation Condition 10 imposed on respondent the obligation to complete a nursing education course. It provides in relevant part:

Respondent, at his or her own expense, shall enroll and successfully complete a course(s) relevant to the practice of registered nursing no later than six months prior to the end of his or her probationary term. Respondent shall obtain prior approval from the Board before enrolling in the course(s).

Respondent violated this condition in that she failed to timely complete the nursing course. Respondent testified that she believed that the CDC training would satisfy this training requirement. However, Respondent did not obtain the Board's prior approval before starting the CDC training, and did not submit the proof of completion until this hearing.

Eighth Cause: Cost Recovery

12. Probation Condition 11 required Respondent to pay the Board the costs associated with its investigation and enforcement of the prior action against Respondent in the amount of \$3,375.25. Respondent has not repaid any monies to the Board. Respondent testified that she did not have the money to repay the Board because she could not obtain employment as a registered nurse. However, Respondent never explained why she did not request to make smaller installment payments to the Board, instead of a lump sum payment. Therefore, Respondent violated this condition of probation by not paying the Board the costs related to its prior disciplinary action against Respondent.

Ninth Cause: Participate in Therapy/Counseling Program

13. Probation Condition 14 required respondent to participate in a therapy/counseling program until the Board released Respondent from this requirement, and only upon the recommendation of her counselor.

14. At the August 22, 2006 probation orientation interview, Ms. Rodriguez directed Respondent to participate in counseling immediately and to complete the required verification forms. Respondent did not provide verification of compliance with this provision of probation for the October 6, 2006, July 8, 2007 and July 15, 2008 reporting periods. Respondent untimely submitted the on-going verification form that was due on September 15, 2007, on September 25, 2007, in which Respondent's counselor indicated that the therapy sessions did not start until September 17, 2007. Therefore, Respondent did not comply with this term of probation because she did not commence her counseling until September 2007. Additionally, Respondent did not submitting timely verification reports.

Respondent's Evidence

15. Respondent's explanation regarding why she did not comply with the conditions of probation centered on her not understanding her obligations. However, Respondent met with Ms. Rodriguez twice to go over the terms of her probation and to answer any questions Respondent had. Additionally, Ms. Rodriguez sent Respondent correspondence regarding Respondent's failure to submit timely reports. Despite the Board's attempts to obtain Respondent's compliance by explaining the terms of probation, and the availability of Ms. Rodriguez to answer any questions, Respondent demonstrated an inability to comply with the terms of probation.

16. Respondent would like to return to work and requests that her probation be extended so she can do that.

LEGAL CONCLUSIONS

1. By reason of the matters set forth in Factual Findings 4 through 15, it was established that Respondent violated the Order and Probation Conditions 5, 6, 7, 8, 10, 11, and 14, of her probation. Cause exists to revoke respondent's probation and to reimpose the stayed discipline (revocation) imposed in Case No. 2001-221.

2. The question presented is whether Respondent's probation should be extended as she requests, or whether her probation should be revoked as complainant requests. All evidence in mitigation has been considered. Respondent has many reasons for her inability to be successful on probation, but the result is the same, she has not been compliant with the terms of her probation. The probationary terms were developed by the Board to ensure that Respondent could practice nursing with safety to the public after her criminal convictions. Her performance on probation has not shown that her probation should be extended.

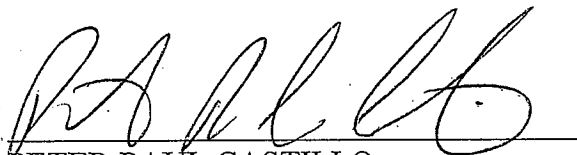
Respondent appears to be earnest in her efforts; however, she could not explain why she could not comply with the terms and condition probation, despite the Board twice explaining the terms to her. While some of the violations are minor, the overall picture is a pattern of haphazard compliance without keeping the probation monitor apprised of her situation. With this history, Respondent has provided the Board with little reason to believe that her performance on probation will improve in the future, or that she presently understands the terms of probation.

ORDER

1. Registered Nursing Licensing number 482243 issued by the Board of Registered nursing for respondent Lois S. Hix is revoked, and the probation that was granted by the Board in Case No. 2001-221 is, also, hereby revoked.

2. The Board's request for costs of \$3,911.50 for the Board's investigation and enforcement of this matter is granted.

DATED: November 3, 2009

A handwritten signature in black ink, appearing to read 'P. Paul Castillo', written over a horizontal line.

PETER PAUL CASTILLO
Administrative Law Judge
Office of Administrative Hearings

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8 *Attorneys for Complainant*

9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Petition to Revoke
13 Probation Against:

14 **LOIS SUSAN HIX**
2801 Poulos Court
15 Pinole, CA 94564
Registered Nursing No. 482243

16 Respondent.

Case No. 2001-221

PETITION TO REVOKE PROBATION

17
18 Complainant alleges:

19 PARTIES

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Petition to Revoke Probation
21 solely in her official capacity as the Interim Executive Officer of the Board of Registered
22 Nursing, Department of Consumer Affairs.

23 **Registered Nurse License**

24 2. On or about August 31, 1992, the Board of Registered Nursing (Board) issued
25 Registered Nursing License Number 482243 to Lois Susan Hix (Respondent). The license will
26 expire on November 30, 2009, unless renewed.
27
28

1 **Prior Discipline**

2 3. In a disciplinary action entitled "In the Matter of Accusation Against Lois Susan
3 Hix," Case No. 2001-221, the Board, issued a decision, effective November 19, 2001, in which
4 Respondent's Registered Nursing License was revoked. A copy of that decision is attached as
5 Exhibit A and is incorporated by reference. In a subsequent action entitled "Petition for
6 Reinstatement," OAH No. L2006030559, the Board reinstated Respondent's license. A license
7 was issued to Respondent, immediately revoked, the revocation was stayed and Respondent was
8 placed on probation for a period of three (3) years with certain terms and conditions. Respondent
9 was suspended from practice until she completed a refresher course or the equivalent as approved
10 by the Board. A copy of that decision is attached as Exhibit B and is incorporated by reference.
11 On May 26, 2009, the Board requested the Attorney General's Office to prepare a Petition to
12 Revoke Probation against Respondent.

13 **STATUTORY PROVISIONS**

14 4. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
15 the Board may discipline the holder of a registered nurse license for any reason provided in
16 Article 3 (commencing with Code section 2750) of the Registered Nursing Practice Act.

17 5. Code section 118, subdivision (b), states:

18 The suspension, expiration, or forfeiture by operation of law
19 of a license issued by a board in the department, or its suspension,
20 forfeiture, or cancellation by order of the board or by order of a
21 court of law, or its surrender without the written consent of the
22 board, shall not, during any period in which it may be renewed,
23 restored, reissued, or reinstated, deprive the board of its authority to
24 institute or continue a disciplinary proceeding against the licensee
25 upon any ground provided by law or to enter an order suspending or
26 revoking the license or otherwise taking disciplinary action against
27 the licensee on any such ground.

28 **PETITION TO REVOKE PROBATION**

6. Grounds exist for revoking the probation and reimposing the order of revocation of
Respondent's Registered Nurse License No. 482243. Condition 12 of the Stipulated Settlement
and Disciplinary Order states, in pertinent part:

1 **12. Violation of Probation**

2 If Respondent violates the conditions of her probation, the Board after giving
3 Respondent notice and an opportunity to be heard, may set aside the stay order and
4 impose the stayed revocation of the Respondent's license. If during the period of
5 probation, an accusation or petition to revoke has been filed against the Respondent's
6 license or the Attorney General's Office has been requested to prepare an accusation or
7 petition to revoke probation against the Respondent's license, the probationary period
8 shall automatically be extended and shall not expire until the accusation or petition has
9 been acted upon by the Board.

7 7. Respondent has violated the Probation Program, as more particularly set forth in the
8 paragraphs below:

9 **FIRST CAUSE TO REVOKE PROBATION**

10 (Enrollment in Refresher Course)

11 8. At all times after the effective date of Respondent's probation, the Order stated:
12 "Respondent shall enroll in and successfully complete a refresher course or an equivalent
13 set of courses as approved by representatives of the Board." The Order further stated that
14 respondent is suspended from practice until she completes the required course work.

15 9. Respondent's probation is subject to revocation because she failed to comply with the
16 Probation Order, referenced above. The facts and circumstances regarding this violation are as
17 follows:

18 A. Respondent failed to enroll in and successfully complete a refresher course or an
19 equivalent set of courses as approved by the Board, and she worked while being suspended from
20 practice and without prior approval.

21 **SECOND CAUSE TO REVOKE PROBATION**

22 (Comply With the Board's Probation Program)

23 10. At all times after the effective date of Respondent's probation, Condition 2 stated:
24 Respondent shall fully comply with the conditions of the Probation Program established by
25 the Board and cooperate with representatives of the Board in its monitoring and investigation of
26 the Respondent's compliance with the Board's Probation Program.

11. Respondent's probation is subject to revocation because she failed to comply with Probation Condition 2, referenced above. The facts and circumstances regarding this violation are as follows:

A. Respondent failed to comply with the Order and with the Board's Probation Program, by failing to comply with Probation Conditions Nos. 5, 6, 7, 8, 10, 11, and 14, as more fully set forth below.

THIRD CAUSE TO REVOKE PROBATION

(Submit Written Reports),

12. At all times after the effective date of Respondent's probation, Condition 5 stated:

Respondent, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Board.

13. Respondent's probation is subject to revocation because she failed to comply with Probation Condition 5, referenced above. The facts and circumstances regarding this violation are as follows:

A. Respondent failed to submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Board, by the due dates of October 6, 2006, May 18, 2007 and April 7, 2007.

FOURTH CAUSE TO REVOKE PROBATION

(Function as a Registered Nurse)

14. At all times after the effective date of Respondent's probation, Condition 6 stated:

Respondent, during the period of probation, shall engage in the practice of registered nursing in California for a minimum of 24 hours per week for six consecutive months or as determined by the Board.

15. Respondent's probation is subject to revocation because she failed to comply with Probation Condition 6, referenced above. The facts and circumstances regarding this violation are as follows:

A. Respondent failed to function as a registered nurse for six consecutive months in

1 a position approved by the Board.

2 FIFTH CAUSE TO REVOKE PROBATION

3 (Employment Approval and Reporting Requirements)

4 16. At all times after the effective date of Respondent's probation, Condition 7 stated:

5 Respondent shall obtain prior approval from the Board before commencing or continuing
6 any employment, paid or voluntary, as a registered nurse. Respondent shall cause to be submitted
7 to the Board all performance evaluations and other employment related reports as a registered
8 nurse upon request of the Board. Respondent must also notify the Board in writing within 72
9 hours after she obtains any nursing or other health care related employment. Respondent shall
10 notify the Board in writing within 72 hours after she is terminated or separated, regardless of
11 cause, from any nursing, or other health care related employment with a full explanation of the
12 circumstances surrounding the termination or separation.

13 17. Respondent's probation is subject to revocation because she failed to comply with
14 Probation Condition 7, referenced above. The facts and circumstances regarding this violation
15 are as follows:

16 A. Respondent failed to obtain prior approval from the Board before commencing
17 employment at the California Department of Corrections and Rehabilitation (CDC). She failed to
18 notify the Board in writing within 72 hours after she obtained the employment at CDC. She
19 failed to submit or cause to be submitted the required Work Performance Evaluations for her
20 work at CDC.

21 SIXTH CAUSE TO REVOKE PROBATION

22 (Supervision)

23 18. At all times after the effective date of Respondent's probation, Condition 8 stated:

24 Respondent shall obtain prior approval from the Board regarding respondent's level of
25 supervision and/or collaboration before commencing or continuing any employment as a
26 registered nurse, or education and training that includes patient care.

1 19. Respondent's probation is subject to revocation because she failed to comply with
2 Probation Condition 8, referenced above. The facts and circumstances regarding this violation
3 are as follows:

4 A. Respondent failed to obtain prior approval from the Board regarding her level of
5 supervision before commencing employment as a Registered Nurse, or education and training that
6 involves patient care.

7 SEVENTH CAUSE TO REVOKE PROBATION

8 (Complete a Nursing Course(s))

9 20. At all times after the effective date of Respondent's probation, Condition 10 stated:
10 Respondent must enroll and successfully complete a course(s) relevant to the practice of
11 registered nursing no later than six months prior to the end of her probationary term. Respondent
12 shall obtain prior approval from the Board before enrolling in the course(s). In addition,
13 Respondent shall submit to the Board the original transcripts or certificates of completion for the
14 above required course(s).

15 21. Respondent's probation is subject to revocation because she failed to comply with
16 Probation Condition 10, referenced above. The facts and circumstances regarding this violation
17 are as follows:

18 A. Respondent failed to complete the required course work or submit evidence of
19 completing the required course work no later than six months prior to the end of the probation
20 term. She has less than six months until the end of her probation term and will be unable to
21 complete the requirement. She also failed to complete the required registered nursing refresher
22 course or a new graduate course.

23 EIGHTH CAUSE TO REVOKE PROBATION

24 (Cost Recovery)

25 22. At all times after the effective date of Respondent's probation, Condition 11 stated:
26 Respondent shall pay the Board costs associated with its investigation and enforcement pursuant
27 to Business and Professions Code section 125.3 in the amount of \$3,375.25, with payments to be
28 completed no later than three months prior to the end of the probationary term.

1 23. Respondent's probation is subject to revocation because she failed to comply with
2 Probation Condition 11, referenced above. The facts and circumstances regarding this violation
3 are as follows:

4 A. Respondent failed to pay all cost recovery amounts within three months from the end
5 of the probation term. To date, Respondent has failed to pay any cost recovery.

6 NINTH CAUSE TO REVOKE PROBATION

7 (Therapy or Counseling Program)

8 24. At all times after the effective date of Respondent's probation, Condition 14 stated:
9 Respondent shall participate in an on-going counseling program until such time as the
10 Board releases her from this requirement and only upon the recommendation of the counselor.

11 25. Respondent's probation is subject to revocation because she failed to comply with
12 Probation Condition 14, referenced above. The facts and circumstances regarding this violation
13 are as follows:

14 A. Respondent failed to participate in a therapy or counseling program and submit the
15 required On-Going Treatment Verification form by the October 6, 2006 due date.

16 B. Respondent failed to participate in a therapy or counseling program and submit the
17 required On-Going Treatment Verification form by the July 8, 2007 due date.

18 C. Respondent failed to submit the required On-Going Treatment Verification form by
19 the January 15, 2008 due date.

20 D. The On-Going Treatment Verification form that was due on September 15, 2007, was
21 untimely submitted and received at the Board on September 25, 2007.

22 DISCIPLINE CONSIDERATIONS

23 26. To determine the degree of discipline, if any, to be imposed on Respondent,
24 Complainant alleges that on or about November 19, 2001, in a prior disciplinary action entitled In
25 the Matter of the Accusation Against Lois Susan Hix before the Board of Registered Nursing, in
26 Case No. 2001-221, Respondent's license was revoked because Respondent had been convicted
27 of crimes substantially related to the qualifications, functions, or duties of a registered nurse.
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1 (Bus. and Prof. Code section 2761(f)). That decision is now final and is incorporated by reference
2 as if fully set forth.

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FILED
CLERK OF COURT
JAN 10 2012

BY

1
2 PRAYER

3 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
4 and that following the hearing, the Board of Registered Nursing issue a decision:

5 1. Revoking the probation that was granted by the Board of Registered Nursing in Case
6 No. 2001-221 and imposing the disciplinary order that was stayed thereby revoking Registered
7 Nursing License No. 482243 issued to Lois Susan Hix;

8 2. Revoking or suspending Registered Nursing License No. 482243, issued to Lois
9 Susan Hix; and

10 3. Taking such other and further action as deemed necessary and proper.

11 DATED: 7/31/09

Louise R. Bailey
Louise R. Bailey, M.Ed., RN
Interim Executive Officer
Board of Registered Nursing, Department of Consumer
Affairs
State of California

15 *Complainant*

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Exhibit A

Decision and Order

RECEIVED
BOARD OF
REGISTERED PROFESSIONALS

SEP 18 1984

RECEIVED

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for
Reinstatement:

LOIS SUSAN HIX

Registered Nurse License No. 482243

Petitioner.

OAH No. L2006030559

2006 MAY 25 10 01 AM
REGISTERED NURSING
BOARD OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

DECISION

The attached Decision of the Board of Registered Nursing is hereby adopted by the Board
as its Decision in the above-entitled matter.

This Decision shall become effective on June 24, 2006.

IT IS SO ORDERED this 25th day of May 2006.

LaTrance W. Tate

President
Board of Registered Nursing
Department of Consumer Affairs
State of California

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Petition for Reinstatement of:

LOIS SUSAN HIX,

Petitioner.

OAH No. L2006030559

2006 AUG 10 10 09 AM
OAH
DECISION
2006 AUG 10 10 09 AM

DECISION

This matter was heard by a quorum of the Board of Registered Nursing (Board) on April 6, 2006, in Torrance, California. The Board members who participated in the hearing and decision were LaFrancine Tate, Public Member, President; Grace Corse, RN, Vice President; Carmen Morales-Board, MSN, NP, RN; Elizabeth O. Dietz, Ed.D., RN, CS-NP; Mary C. Hayashi, Public Member; Orlando H. Pile, M.D.; and Susanne Phillips, MSN, RN, APRN-BC, FNP. Eric Sawyer, Administrative Law Judge, Office of Administrative Hearings, State of California, presided.

Petitioner was present and represented herself.

Gloria Barrios, Deputy Attorney General, appeared on behalf of the Attorney General of the State of California.

The petition and other relevant documents were presented. Petitioner and the Deputy Attorney General made oral presentations to the Board. Petitioner responded to questions of Board members and the Deputy Attorney General. The record was closed, the Board met in executive session, and the matter was decided on the day of the hearing.

FACTUAL FINDINGS

1. On August 31, 1992, the Board issued Registered Nursing License No. 482243 to Petitioner.
2. The Board, by a Default Decision and Order, effective November 19, 2001, revoked Petitioner's license, in resolution of Board case no. 2001-221. As of July 22, 2001, the Board had incurred costs of \$3,375.25 in investigating and enforcing that matter. The Board's discipline was based on findings that in 1999 Petitioner had been twice convicted of misdemeanor petty theft.
3. The petition was filed with the Board on January 6, 2006.

4. Petitioner's convictions were the result of her shoplifting at retail stores in August 1997 and December 1998. Petitioner testified that she was then suffering from depression and that her crimes were a cry for help. She allowed her license to be revoked by default because she was depressed and ashamed of her actions. Petitioner believes her depression was the result of being fired from a nursing job with Kaiser in 1997. Petitioner was fired because she called a former patient at home to discuss a critical comment the patient had made about Petitioner to another nurse at the hospital. Petitioner also testified that her depression was caused by marital problems. Petitioner believes she is now over her depression and ready to work again as a nurse. She states in her petition that she no longer has the urge to steal because "it is morally and legally wrong." Petitioner did not obtain any counseling for her depression, though she did attend some group meetings as a condition of her criminal probation. Petitioner remains married. She and her husband have three children. She wants to work again to help support her family.

5. After being fired from Kaiser in 1997, Petitioner worked for a nursing agency until 1999. Petitioner has not been employed in any capacity since she stopped nursing in 1999.

6. Petitioner complied with all terms of her two criminal probations, which were terminated in 2001. No evidence was presented indicating that Petitioner has engaged in any misconduct after her license was revoked.

7. Petitioner has not completed any continuing professional education in nursing since her license was revoked.

8. Petitioner expressed to the Board during the hearing remorse for her misconduct. She is willing to comply with any terms the Board would impose as a condition of obtaining a probationary license, including counseling and taking a nursing refresher course.

LEGAL CONCLUSIONS

1. Petitioner has the burden of establishing by clear and convincing evidence that she is entitled to the requested relief. (Bus. & Prof. Code, § 2760.1, subd. (b).)

2. Petitioner clearly and convincingly established that cause exists to reinstate her license, pursuant to Business and Professions Code section 2760.1, and California Code of Regulations, title 16, section 1445. Petitioner's past misconduct was remote in time, not serious, and did not happen in the course and scope of her nursing duties. No evidence of misconduct subsequent to her discipline was presented. Petitioner demonstrated during the hearing remorse for her past misconduct and appears to have sufficiently rehabilitated herself from her convictions. The Board is satisfied that reinstating Petitioner's license will not jeopardize public protection. (Factual Findings 1-8.)

3. Government Code section 11522, and Business and Professions Code section 2760.1, subdivision (e), provide the Board with the authority to reinstate a previously revoked license upon appropriate "terms and conditions." In this case, Petitioner believes her past misconduct was the result of a longstanding depression. She has yet to obtain formal counseling for such. Moreover, she has not engaged in nursing since 1999. Thus, a three-year probation is warranted, with terms and conditions including that she obtain counseling, take a nursing refresher course, and reimburse the Board its costs that were incurred from the prior disciplinary action. (Factual Findings 1-8.)

ORDER

The petition of Lois Susan Hix (hereinafter Respondent) for reinstatement of licensure is hereby GRANTED. A license shall be issued to Respondent. Said license shall immediately be REVOKED, the order of revocation STAYED, and Respondent placed on PROBATION for a period of THREE (3) YEARS. Respondent shall enroll in and successfully complete a refresher course or an equivalent set of courses as approved by representatives of the Board. Respondent is SUSPENDED from practice until the required course work is successfully completed, but may use her license for the limited purpose of completing requirements of the required course work. The probation includes the following terms and conditions:

SEVERABILITY CLAUSE

Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

(1) OBEY ALL LAWS

Respondent shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by the Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

CRIMINAL COURT ORDERS: If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

(2) COMPLY WITH THE BOARD'S PROBATION PROGRAM

Respondent shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the respondent's compliance with the Board's Probation Program. Respondent shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Upon successful completion of probation, respondent's license shall be fully restored.

(3) REPORT IN PERSON

Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

(4) RESIDENCY, PRACTICE, OR LICENSURE OUTSIDE OF STATE

Periods of residency or practice as a registered nurse outside of California shall not apply toward a reduction of this probation time period. Respondent's probation is tolled if and when he or she resides outside of California. The respondent must provide written notice to the Board within 15 days of any change of residency or practice outside the state, and within 30 days prior to re-establishing residency or returning to practice in this state.

Respondent shall provide a list of all states and territories where he or she has ever been licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide information regarding the status of each license and any changes in such license status during the term of probation. Respondent shall inform the Board if he/she applies for or obtains a new nursing license during the term of probation.

(5) SUBMIT WRITTEN REPORTS

Respondent, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Board. These reports/declarations shall contain statements relative to respondent's compliance with all the conditions of the Board's Probation Program. Respondent shall immediately execute all release of information forms as may be required by the Board or its representatives.

Respondent shall provide a copy of this decision to the nursing regulatory agency in every state and territory in which he or she has a registered nurse license.

(6) FUNCTION AS A REGISTERED NURSE

Respondent, during the period of probation, shall engage in the practice of registered nursing in California for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

For purposes of compliance with the section, "engage in the practice of registered nursing" may include, when approved by the Board, volunteer work as a registered nurse, or work in any non-direct patient care position that requires licensure as a registered nurse.

The Board may require that advanced practice nurses engage in advanced practice nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

If respondent has not complied with this condition during the probationary term, and the respondent has presented sufficient documentation of his or her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of the respondent's probation period up to one year without further hearing in order to comply with this condition. During the one-year extension, all original conditions of probation shall apply.

(7) EMPLOYMENT APPROVAL AND REPORTING REQUIREMENTS

Respondent shall obtain prior approval from the Board before commencing or continuing any employment, paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all performance evaluations and other employment related reports as a registered nurse upon request of the Board.

Respondent shall provide a copy of this decision to his or her employer and immediate supervisors prior to commencement of any nursing or other health care related employment.

In addition to the above, respondent shall notify the Board in writing within seventy-two (72) hours after he or she obtains any nursing or other health care related employment. Respondent shall notify the Board in writing within seventy-two (72) hours after he or she is terminated or separated, regardless of cause, from any nursing, or other health care related employment with a full explanation of the circumstances surrounding the termination or separation.

(8) SUPERVISION

Respondent shall obtain prior approval from the Board regarding respondent's level of supervision and/or collaboration before commencing or continuing any employment as a registered nurse, or education and training that includes patient care.

Respondent shall practice only under the direct supervision of a registered nurse in good standing (no current discipline) with the Board of Registered Nursing, unless alternative methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are approved.

Respondent's level of supervision and/or collaboration may include, but is not limited to the following:

(a) Maximum - The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.

(b) Moderate - The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours respondent works.

(c) Minimum - The individual providing supervision and/or collaboration has person-to-person communication with respondent at least twice during each shift worked.

(d) Home Health Care - If respondent is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with respondent as required by the Board each work day. Respondent shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the Board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to patients' homes visited by the respondent with or without respondent present.

(9) EMPLOYMENT LIMITATIONS

Respondent shall not work for a nurse's registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse, or for an in-house nursing pool.

Respondent shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the Board. Respondent shall not work in any other registered nursing occupation where home visits are required.

Respondent shall not work in any health care setting as a supervisor of registered nurses. The Board may additionally restrict respondent from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Respondent shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.

Respondent shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity.

If the respondent is working or intends to work in excess of 40 hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.

(10) COMPLETE A NURSING COURSE(S)

Respondent, at his or her own expense, shall enroll and successfully complete a course(s) relevant to the practice of registered nursing no later than six months prior to the end of his or her probationary term.

Respondent shall obtain prior approval from the Board before enrolling in the course(s). Respondent shall submit to the Board the original transcripts or certificates of completion for the above required course(s). The Board shall return the original documents to respondent after photocopying them for its records.

(11) COST RECOVERY

Respondent shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$3,375.25. Respondent shall be permitted to pay these costs in a payment plan approved by the Board, with payments to be completed no later than three months prior to the end of the probation term.

If respondent has not complied with this condition during the probationary term, and respondent has presented sufficient documentation of his or her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of the respondent's probation period up to one year without further hearing in order to comply with this condition. During the one-year extension, all original conditions of probation will apply.

(12) VIOLATION OF PROBATION

If a respondent violates the conditions of his/her probation, the Board after giving the respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation/suspension) of the respondent's license.

If during the period of probation, an accusation or petition to revoke probation has been filed against respondent's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against the respondent's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board.

(13) LICENSE SURRENDER

During respondent's term of probation, if he or she ceases practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation, respondent may surrender his or her license to the Board. The Board reserves the right to evaluate respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, respondent will no longer be subject to the conditions of probation.

Surrender of respondent's license shall be considered a disciplinary action and shall become a part of respondent's license history with the Board. A registered nurse whose license has been surrendered may petition the Board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision:

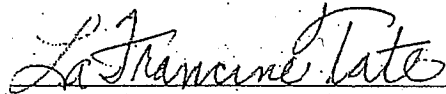
1. Two years for reinstatement of a license that was surrendered for any reason other than a mental or physical illness; or
2. One year for a license surrendered for a mental or physical illness.

(14) THERAPY OR COUNSELING PROGRAM

Respondent, at his/her expense, shall participate in an on-going counseling program until such time as the Board releases him/her from this requirement and only upon the recommendation of the counselor. Written progress reports from the counselor will be required at various intervals.

IT IS SO ORDERED. This Decision shall be effective June 04, 2006.

Dated: May 25, 2006



LaFrancine Tate, President,
Board of Registered Nursing
Department of Consumer Affairs
State of California

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Exhibit B

ORIGINAL

1 BILL LOCKYER, Attorney General
of the State of California
2 WILBERT E. BENNETT, State Bar No. 51966
Supervising Deputy Attorney General
3 California Department of Justice
1515 Clay Street, Suite 2000
4 Oakland, California 94612
Telephone: (510) 622-2134
5 Facsimile: (510) 622-2270

6 Attorneys for Complainant

7
8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2001-221

12 LOIS SUSAN HIX
13 2801 Poulos Court
14 Pinole, California 94564

DEFAULT DECISION AND
ORDER OF REVOCATION

15 Registered Nurse License No. 482243

16 Respondent.

17
18 Service of the Accusation and all other statutorily required documents having
19 been obtained by registered mail on respondent at the latest address filed by respondent with the
20 Board of Registered Nursing, in compliance with sections 11505(a) and 11505(c) of the
21 Government Code, and respondent having failed to file a Notice of Defense within the time
22 allowed by section 11506(a) of the Government Code, the Board of Registered Nursing has
23 determined that respondent has waived the right to a hearing to contest the merits of the
24 Accusation in accordance with sections 11506(c) and 11520 of the Government Code.
25 Accordingly, based on the documentary evidence on file herein, the aforementioned agency
26 makes the following findings of fact:

27 **FINDINGS OF FACT**

28 1. Ruth Ann Terry, M.P.H., R.N., was the Executive Officer of the Board of

1 Registered Nursing at the time of filing of the Accusation and did make and file the Accusation
2 in her official capacity. (A copy of the Accusation is attached hereto as Exhibit A.)

3 2. On or about August 31, 1992, the Board of Registered Nursing ("Board")
4 issued Registered Nurse License Number 482243 to respondent Lois Susan Hix ("respondent").
5 Said license was in full force and effect at all times relevant to the charges brought herein and
6 will expire on November 30, 2001, unless renewed.

7 3. Under Business and Professions Code section 2750, the Board may
8 discipline any license, including a licensee holding a temporary or an inactive license, for any
9 reason provided in Article 3 of the Nursing Practice Act.

10 4. Under Business and Professions Code section 2761(f), the Board may take
11 disciplinary action against a certified or licensed nurse for conviction of a felony or of any
12 offense substantially related to the qualifications, functions, and duties of a registered nurse.

13 5. Title 16, California Code of Regulations section 1444 states, in pertinent
14 part, that a crime or act shall be considered to be substantially related to the qualifications,
15 functions or duties of a registered nurse if to a substantial degree it evidences present or potential
16 unfitness of a registered nurse to perform the functions authorized by his/her license in a manner
17 consistent with the public health, safety, or welfare.

18 6. Business and Professions Code section 125.3 provides, in pertinent part,
19 that the Board may request the administrative law judge to direct a licensee found to have
20 committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable
21 costs of the investigation and enforcement of the case.

22 7. As of July 22, 2001, the costs of investigation and enforcement incurred
23 by the Board for this case are \$3,375.25.

24 FIRST CAUSE FOR DISCIPLINE

25 (Conviction)

26 8. Respondent is subject to disciplinary action under section 2761(f) in that
27 respondent was convicted by her plea of "no contest" in Municipal Court, County of Contra
28 Costa, Bay Judicial District, Case No. 171236-3. The circumstances are as follows:

1 a. On or about December 10, 1998, respondent was arrested for
2 unlawfully stealing, taking, leading and driving away the personal property of Lucky's grocery
3 store located in Pinole, California. Case No. 171236-3, The People of the State of California v.
4 Lois Susan Hix, was filed in Contra Costa Municipal Court, Bay Judicial District, charging
5 respondent with a misdemeanor violation of Penal Code sections 484/666, petty theft, with a
6 prior conviction for violating Penal Code sections 484/488. On or about February 18, 1999,
7 respondent was convicted on her plea of "no contest" to the violation of Penal Code sections
8 484/666 with a prior conviction for Penal Code sections 484/488.

9 9. Respondent's conviction, as set forth above in paragraphs 8 and 8a, is
10 substantially related to the qualifications, functions or duties of a registered nurse as defined in
11 Title 16, California Code of Regulations section 1444.

12 SECOND CAUSE FOR DISCIPLINE

13 10. Respondent is subject to disciplinary action under section 2761(f), in that
14 respondent was convicted by her plea of "guilty" in Municipal Court, County of Contra Costa,
15 Mt. Diablo Judicial District, Case No. 181082-9. The circumstances are as follows:

16 a. On or about August 6, 1997, respondent was arrested for wilfully
17 and unlawfully taking away the property of COSTCO retail store consisting of merchandise.
18 Case No. 171236-3, The People of the State of California v. Lois Susan Hix, was filed in Contra
19 Costa Municipal Court, Mt. Diablo Judicial District, charging respondent with a misdemeanor
20 violation of Penal Code sections 484/488 for petty theft. On or about February 18, 1999,
21 respondent was convicted on her plea of "guilty" to the violation of Penal Code sections
22 484/488.

23 11. Respondent's conviction, as set forth above in paragraphs 10 and 10a, is
24 substantially related to the qualifications, functions or duties of a registered nurse as defined in
25 Title 16, California Code of Regulations section 1444.

26 DETERMINATION OF ISSUES

27 12. Based on the foregoing Findings of Fact, respondent has subjected her
28 license to discipline under Business and Professions Code section 2761(f).

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ORDER

This Decision shall become effective on November 19, 2001

It is so ORDERED October 19, 2001

Sandra K. Erickson

FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

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Exhibit A

Accusation, Case No. 2001-221

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NURSING
MICHIGAN

APR 11 1961

1 BILL LOCKYER, Attorney General
of the State of California
2 KAREN L. DONALD, State Bar No. 166437
Deputy Attorney General
3 California Department of Justice
1515 Clay Street, Suite 2000
4 Oakland, California 94612
Telephone: (510) 622-2202
5 Facsimile: (510) 622-2121
6 Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2001-221

12 LOIS SUSAN HIX
2801 Poulos Court
13 Pinole, California 94564

A C C U S A T I O N

14 Registered Nurse License No. 482243

15 Respondent.

16
17 Complainant alleges:

18 PARTIES

19 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
21 Department of Consumer Affairs.

22 2. On or about August 31, 1992, the Board of Registered Nursing issued
23 Registered Nurse License Number 482243 to Lois Susan Hix ("Respondent"). The Registered
24 Nurse License was in full force and effect at all times relevant to the charges brought herein and
25 will expire on November 30, 2001, unless renewed.

26 JURISDICTION

27 3. This Accusation is brought before the Board of Registered Nursing
28 ("Board"), under the authority of the following sections of the Business and Professions Code

1 ("Code").

2 4. Section 490 of the Code states, in pertinent part, that the Board may
3 suspend or revoke a license when it finds that the licensee has been convicted of a crime.

4 5. Section 118(b) of the Code states, in pertinent part, that the
5 suspension/expiration/surrender/cancellation of a license shall not deprive the Board of
6 jurisdiction to proceed with a disciplinary action during the period within which the license may
7 be renewed, restored, reissued or reinstated.

8 6. Section 2750 of the Code states, in pertinent part, that the Board may
9 discipline any licensee, including a licensee holding a temporary or an inactive license, for any
10 reason provided in Article 3 of the Nursing Practice Act.

11 7. Section 2761(f) of the Code provides that the Board may take disciplinary
12 action against a certified or licensed nurse for:

13 Conviction of a felony or of any offense substantially related to the qualifications,
14 functions, and duties of a registered nurse, in which event the record of the conviction
15 shall be conclusive evidence thereof.

16 8. Title 16, California Code of Regulations section 1444 states, in pertinent
17 part, that a crime or act shall be considered to be substantially related to the qualifications,
18 functions or duties of a registered nurse if to a substantial degree it evidences present or potential
19 unfitness of a registered nurse to perform the functions authorized by his/her license in a manner
20 consistent with the public health, safety, or welfare.

21 9. Section 125.3 of the Code provides, in pertinent part, that the Board may
22 request the administrative law judge to direct a licensee found to have committed a violation or
23 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
24 and enforcement of the case.

25 FIRST CAUSE FOR DISCIPLINE

26 (Conviction)

27 10. Respondent is subject to disciplinary action under section 2761(f) in that
28 respondent was convicted by her plea of "no contest" in Municipal Court, County of Contra

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1 Costa, Bay Judicial District, Case No. 171236-3. The circumstances are as follows:

2 a. On or about December 10, 1998, respondent was arrested for
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4 store located in Pinole, California. Case No. 171236-3, The People of the State of California v.
5 Lois Susan Hix, was filed in Contra Costa Municipal Court, Bay Judicial District, charging
6 respondent with a misdemeanor violation of Penal Code sections 484/666, petty theft, with a
7 prior conviction for violating Penal Code sections 484/488. On or about February 18, 1999,
8 respondent was convicted on her plea of "no contest" to the violation of Penal Code sections
9 484/666 with a prior conviction for Penal Code section 484/488.

10 11. Respondent's conviction, as set forth above in paragraphs 10 and 10a, is
11 substantially related to the qualifications, functions or duties of a registered nurse as defined in
12 Title 16, California Code of Regulations section 1444.

13 SECOND CAUSE FOR DISCIPLINE

14 (Conviction)

15 12. Respondent is subject to disciplinary action under section 2761(f), in that
16 respondent was convicted by her plea of "guilty" in Municipal Court, County of Contra Costa,
17 Mt. Diablo Judicial District, Case No. 181082-9. The circumstances are as follows:

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20 Case No. 171236-3, The People of the State of California v. Lois Susan Hix, was filed in Contra
21 Costa Municipal Court, Mt. Diablo Judicial District, charging respondent with a misdemeanor
22 violation of Penal Code sections 484/488 for petty theft. On or about February 18, 1999,
23 respondent was convicted on her plea of "guilty" to the violation of Penal Code sections
24 484/488.

25 13. Respondent's conviction, as set forth above in paragraphs 12 and 12a, is
26 substantially related to the qualifications, functions or duties of a registered nurse as defined in
27 Title 16, California Code of Regulations section 1444.

28 PRAYER

1 WHEREFORE, Complainant requests that a hearing be held on the matters herein
2 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

3 1. Revoking or suspending Registered Nurse License Number 482243, issued
4 to Lois Susan Hix;

5 2. Ordering Lois Susan Hix to pay the Board of Registered Nursing the
6 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
7 Professions Code section 125.3;

8 3. Taking such other and further action as deemed necessary and proper.

9 DATED: 2/16/01

10
11
12 Ruth Ann Terry
13 RUTH ANN TERRY, M.P.H., R.N.
14 Executive Officer
15 Board of Registered Nursing
16 Department of Consumer Affairs
17 State of California
18 Complainant

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